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7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

9
10 STATE OF CALIFORNIA

11
12 In the Matter of) FPPC No.: 03/791
13)
14 BRENT WILKES,) DEFAULT DECISION AND
15) ORDER
16 Respondent.) (Government Code section 11506)

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18 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission,
19 hereby submits this Default Decision and Order for consideration by the Fair Political Practices
20 Commission at its next regularly scheduled meeting.

21 Pursuant to the Administrative Procedure Act,¹ Respondent BRENT WILKES has been served
22 with all of the documents necessary to conduct an administrative hearing regarding the above-captioned
23 matter, including the following:

- 24 1. A Finding of Probable Cause;
25 2. An Accusation;
26 3. A Notice of Defense (Two Copies);
27 4. A Statement to Respondent; and

28 ¹ The Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

5. Copies of Government Code sections 11506, 11507.5, 11507.6 and 11507.7.

Government Code section 11506 provides that the failure of a respondent to file a Notice of Defense within fifteen days after being served with an Accusation shall constitute a waiver of respondent's right to a hearing on the merits of the Accusation. The Statement to Respondent, served on Respondent BRENT WILKES, explicitly stated that a Notice of Defense must be filed in order to request a hearing. Respondent filed a Notice of Defense within fifteen days of being served with an Accusation. However, on December 5, 2006, Respondent submitted a letter to the Enforcement Division withdrawing his Notice of Defense, and thereby forfeiting his right to have an administrative hearing in this matter.

Respondent BRENT WILKES violated the Political Reform Act as described in Exhibit 1, which is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter. This Default Decision and Order is submitted to the Commission to obtain a final disposition of this matter.

Dated: _____

Mark Krausse
Executive Director
Fair Political Practices Commission

ORDER

The Commission issues this Default Decision and Order and imposes an administrative penalty of \$4,000 (Four Thousand Dollars) upon Respondent BRENT WILKES payable to the “General Fund of the State of California.”

IT IS SO ORDERED, effective upon execution below by the Chairman of the Fair Political Practices Commission at Sacramento, California.

Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission